

**GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA**

UNSTARRED QUESTION NO:495
ANSWERED ON:19.07.2017
Guidelines on Public Complaints
Hari Shri G.

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

- (a) whether the Government is considering to set up a mechanism to deal with citizens' complaints about the content telecast or aired by private channels and radio and if so, the details thereof; and
(b) whether the Government is considering to frame formal guidelines on the limitation period for filing such public complaints, procedure to be followed, etc. under the Cable Network Act and if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF INFORMATION & BROADCASTING [COL RAJYAVARDHAN RATHORE (Retd.)]

(a) & (b): As per existing regulatory framework, private satellite TV channels are required to adhere to the Programme and Advertising Codes prescribed under the Cable Television Networks (Regulation) Act, 1995 and Cable Television Network Rules, 1994 framed thereunder which contain a gamut of criteria to be followed while carrying programmes and advertisement in such TV channels.

FM Radio Channels are required to comply with the terms & conditions of the Grant of Permission Agreement (GOPA) executed between the channel company and the Ministry of Information & Broadcasting at the time of granting permission to run FM radio channels. GOPA provides that the permission holder shall ensure that no content, messages, advertisement or communication, transmitted in its Broadcast Channel is objectionable, obscene, unauthorized or inconsistent with the laws of India. It is also prescribed under the GOPA that FM Radio Channels should follow the same Programme and Advertisement Codes as followed by All India Radio. These Codes & GOPA contain a whole range of parameters to regulate content on FM channels.

Further, Ministry has constituted a composite Inter Ministerial Committee (IMC) comprising officers from Ministries of Home Affairs, Defence, External Affairs, Law, Women & Child Development, Health & Family Welfare, Consumer Affairs and a representative from Advertising Standards Council of India, to take cognizance suo moto or to look into specific complaints regarding content on private TV channels on any platform including FM Radio. The final decision regarding penalties and its quantum is taken on the basis of the recommendations of IMC.

In a judgment delivered on 12.01.2017, with regard to WP No. 1024 of 2013 in the case of Common Cause Vs. UOI & Ors, the Hon'ble Supreme Court of India has advised the Government to formalize the complaint redressal mechanism including the period of limitation within which a complaint can be filed and the concerned statutory authority which shall adjudicate upon the same including the appellate and other redressal mechanisms, leading to a final conclusive determination.
